



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Pat nt and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/127,138	07/31/98	GRUENBERG	M 24731-500E

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EXAMINER
SCHWADRON, R

ART UNIT	PAPER NUMBER
1644	

DATE MAILED: 02/09/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**



UNITED STATES DEPARTMENT OF COMMERCE  
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

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**Please find below a communication from the EXAMINER in charge of this application**

Commissioner of Patents

The reply filed on 11/17/2000 is not fully responsive to the prior Office action because of the following omission(s) or matter(s). See 37 CFR 1.111 and 1.121.  
Regarding claim 124, the phrase "10<sup>10</sup>" was not previously present in claim 124. Thus applicant has amended a claim without underlining the amended material. Regarding claim 126, the phrase "16" was not previously present in claim 126, because said claim had already been previously amended to change 16 to 124 (see amendment filed 2/24/2000).

CFR 1.121(a)(2)(I) states:

- (I) Instructions for insertions and deletions: A claim may be amended by specifying only the exact matter to be deleted or inserted by an amendment and the precise point where the deletion or insertion is to be made, where the changes are limited to:
- (A) Deletions and/or
  - (B) The addition of no more than five (5) words in any one claim; or

The amendment to the claims should be made in accordance with 37 CFR 1.121(a)(2)(ii) which states:

- (ii) Claim cancellation or rewriting: A claim may be amended by directions to cancel the claim or by rewriting such claim with underlining below the matter added and brackets around the matter deleted. The rewriting of a claim in this form will be construed as directing the deletion of the previous version of that claim. If a previously rewritten claim is again rewritten, underlining and bracketing will be applied relative to the previous version of the claim, with the parenthetical expression "twice amended," "three times amended," etc., following the original claim number. The original claim number followed by that parenthetical expression must be used for the rewritten claim. No interlineations or deletions of any prior amendment may appear in the currently submitted version of the claim. A claim canceled by amendment (not deleted and rewritten) can be reinstated only by a subsequent amendment presenting the claim as a new claim with a new claim number.

Since the above-mentioned reply appears to be *bona fide*, applicant is given TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).** Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the Examiner should be

Directed to Dr. Ron Schwadron whose telephone number is (703) 308-4680. Any inquiry of a general nature or relating to the status of this application should be directed to the Group 1600 receptionist whose telephone number is (703) 308-0196.

Ron Schwadron, Ph.D.  
Primary Examiner  
Art Unit 1644



RONALD B. SCHWADRON  
PRIMARY EXAMINER  
GROUP ~~1800~~ 1600